

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
ABE et al.

Appln. No. 10/584,221  
Filing Date: June 20, 2007



Confirmation No. 1699  
Atty. Docket No. 46453

Group Art Unit: 1621  
Examiner: Valenrod, Yevgeny

Title: PROCESS FOR PRODUCING 2-HALOGENOBENZAMIDE COMPOUND

FILED UNDER RULE 1.116  
EXPEDITED PROCEDURE

TRANSMITTAL OF RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Response in the above-captioned application. The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED							
(1)	(2)	(3)	(4)		(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For		Extra Claims	Rate	Fee
Total Claims	4	-	20		0	52.00	\$0
(Small Entity)						(26.00)	
Independent claims	1	-	3		0	220.00	\$0
(Small Entity)						(110.00)	
Multiple Dependent	0	-	0		0	390.00	\$0
(Small Entity)						(195.00)	
Extension of Time	One Month		Two Months		Three Months	Four Months	
Fee	\$130		\$490		\$1,110	\$1,730	\$0
(Small Entity)	(\$65)		(\$245)		(\$555)	(\$865)	
Terminal Disclaimer							\$0
IDS							\$0
Total							\$0

The above fees are believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0687 under the above Attorney Docket Number for which purpose this paper is submitted in duplicate. **CUSTOMER NO. 20736**

Respectfully submitted,

*Paul E. White, Jr.*

Paul E. White, Jr.  
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Tel. No. 202-261-1050  
Fax No. 202-887-0336

Date: **February 6, 2009**

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\* \* \* \* \*

February 6, 2009

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313 -1450

Sir:

In response to the Office Action dated November 7, 2008, reconsideration and allowance of the subject application are respectfully requested in view of the following remarks.

Claims 1-4 are pending in this application. Claim 5 has been cancelled. In the previous Amendment, filed June 26, 2008, claim 1 was amended to essentially incorporate the subject matter of claim 5 by deleting m is 0. Filed with the previous Amendment was the Rule 132 Declaration of co-inventor Hiroki Kodama.

The applicants respectfully traverse the rejection of claims 1-4 under 35 USC 103(a) over Kodama et al. (EP 1,277,726A1) in view of Harayama et al. (US 2004/0116299A1). These references do not make the presently claimed invention to be obvious.

Because of the prior amendment of claim 1, the recitation of  $-S(O)_m-$  in formulas (II) and (III) is now  $-SO-$ . The presently claimed method recites a method which comprises the steps of introducing a halogen atom in o-position of the benzene nucleus of the sulfoxide (II) to obtain halogenated sulfoxide (III) and then